

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

**ZACHARY RYAN ROGERS,**

Petitioner,

v.

**CHARLES PEARSON, Sheriff,**

Respondent.

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**CIV 13-285-JHP-SPS**

**OPINION AND ORDER**

Petitioner, an inmate incarcerated in the Muskogee County Jail in Muskogee, Oklahoma, has filed a petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254. On October 10, 2013, the petitioner was ordered to show cause in writing within fourteen (14) days why this action should not be dismissed for his failure to exhaust state court remedies. At that time, plaintiff was advised that “[f]ailure to show cause as directed will result in dismissal of this action.” Dkt. # 11. To date, plaintiff has not responded to this court’s order.

**ACCORDINGLY**, this Court hereby dismisses the amended petition for writ of habeas corpus without prejudice for failure to exhaust his state court remedies.

It is so ordered this 25th day of November, 2013.

  
James H. Payne  
United States District Judge  
Eastern District of Oklahoma